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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence during pendency of filed application)</i>	Patent No.	6,111,738	
	Issue Date:	August 29, 2000	
	Application No.:	09/083,769	
	Filing Date:	May 22, 1998	
	First Name Inventor	Gerard McGoogan	
	Examiner Name	Ronald W. Leja	
	Art Unit	2836	
Total Number of Pages in This Submission	6	Attorney Docket No.	19900-03454

ENCLOSURES (check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Check Enclosed <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Itemized Deficiency Statement for Delayed Notification of Loss of Small Entity Status <input type="checkbox"/> Assignment & Recordation Cover Sheet <input type="checkbox"/> Declaration <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <input type="checkbox"/> Copies of IDS Cited References <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Request for Correction of Recorded Assignment <input type="checkbox"/> Amendment/Response: [ ] Page(s) <input type="checkbox"/> After Final <input type="checkbox"/> Status Request <input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Letter to Chief Draftsperson <input type="checkbox"/> Formal Drawing(s): [ ] Sheet(s) of Figure(s) [ ] <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
REMARKS:	

SIGNATURE OF ATTORNEY OR AGENT			
Signature:			
Attorney/Reg. No.:	Greg T. Sueoka, Reg. No.: 33,800	Dated:	4/27/05

CERTIFICATE OF MAILING			
I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filed in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.			
Signature:			
Typed or Printed Name:	Greg T. Sueoka	Dated:	4/27/05
Express Mail Mailing Number (optional):			



<b>FREE TRANSMITTAL</b> <b>for FY 2005</b>				<i>Complete if Known</i>	
Patent fees are subject to annual revision.				Patent No.	6,111,738
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27				Issue Date:	August 29, 2000
				Application No.:	09/083,769
				Filing Date:	May 22, 1998
				First Named Inventor	Gerard McGoogan
				Examiner Name	Ronald W. Leja
				Art Unit	2836
<b>TOTAL AMOUNT OF PAYMENT</b>		<b>(\$)</b> 520.00		Attorney Docket No.	19900-03454
<b>METHOD OF PAYMENT</b> (check all that apply)				<b>FEE CALCULATION</b> (continued)	
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: <u>19-2555</u> Deposit Account Name: <u>Fenwick &amp; West LLP</u>  The Commissioner is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge all required fee(s) or any underpayment of fee(s) due under 37 CFR §1.16 or §1.17 during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.				<b>3. ADDITIONAL FEES</b>	
<b>FEE CALCULATION</b>					
<b>1. BASIC FILING FEE</b>					
Large Entity   Small Entity					
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath or declaration	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1100	2503	550	Plant issue fee	
1460	—	1460	—	Petitions to the Director	
1807	50	1807	50	Processing fee for Provisional Applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) Deficient Payment				520.00	
<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b>				<b>SUBTOTAL (3)</b> (\$) 520.00	
Total Claims <u>20</u> ** = <u>  </u> X <u>  </u> = <u>  </u> Independent Claims <u>3</u> ** = <u>  </u> X <u>  </u> = <u>  </u> Multiple Dependent <u>  </u> = <u>  </u> = <u>  </u>					
Large Entity   Small Entity					
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	
1202	50	2202	25	Claims in excess of 20	
1201	200	2201	100	Independent claims in excess of 3	
1203	360	2203	180	Multiple dependent claim, if not paid	
1204	200	2204	100	**Reissue independent claims over original patent	
1205	50	2205	25	**Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b> (\$) -0-					
**or number previously paid, if greater; For Reissues, see above				*Reduced by Basic Filing Fee Paid	
<b>SUBMITTED BY</b>					
Name (Print/Type)		Greg T. Suedka		Complete (if applicable)	
Registration No. (Attorney/Agent)		33,800		Telephone 650\335-7194	
Signature				Date	
				4/27/05	



**PATENT PETITION**

**IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE**

APPLICANTS: GERARD MCGOOGAN  
PATENT NO.: 6,111,738  
ISSUE DATE : August 29, 2000  
APPLICATION NO.: 09/083,769  
FILING DATE: May 22, 1998  
TITLE: INTRINSICALLY SAFE CIRCUITS  
ATTY. DKT. NO.: 19900-03454

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition; United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: 4/27/05

By: Greg T. Sueoka  
Greg T. Sueoka, Reg. No.: 33,800

Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ITEMIZED DEFICIENCY STATEMENT FOR DELAYED NOTIFICATION OF LOSS  
OF SMALL ENTITY STATUS, PURSUANT TO 37 CFR § 1.28(c) and (d).**

SIR:

For the above-referenced patent, status as a small entity having been established in good faith, and fees as a small entity having been paid in good faith, the Office was not notified of a loss of entitlement to small entity status at the time of paying the first maintenance fee, as required by 37 CFR § 1.27(g)(2). To have this error excused pursuant to 37 CFR § 1.28(c) and (d), Applicants hereby file an Itemization of the Deficiency Payment along with a Payment of the Deficiency Owed.

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## I. ITEMIZATION OF THE DEFICIENCY PAYMENT

Following is a list of each particular type of fee that was erroneously paid as a small entity, the current fee amount for a non-small entity, the small entity fee actually paid, and the date of payment:

1. First maintenance fee was paid on 08/03/2004. Although the amount of \$910.00 was tendered based on large entity status, the USPTO issued a refund for part of the fee because the USPTO had not been notified of the loss of entitlement to small entity status. Therefore, the first maintenance fee actually paid was in the amount of \$455.00. Under 37 CFR § 1.20(e), the current fee amount for first maintenance fee for a non-small entity is \$900. Under 37 CFR § 1.28(c)(2)(i), the deficiency amount owed based on this transaction is equal to the amount (previously) paid in error, i.e. \$455.00.
2. Surcharge for late payment of first maintenance fee within 6 months was paid on 08/03/2004. Although the amount of \$130.00 was tendered based on large entity status, the USPTO issued a refund for part of the fee because the USPTO had not been notified of the loss of entitlement to small entity status. Therefore, the small entity surcharge actually paid was in the amount of \$65. Under 37 CFR § 1.20(h), the current fee amount for surcharge for late payment of first maintenance first maintenance fee for a non-small entity is \$130. The deficiency amount owed based on this transaction is \$65.00.
3. The total deficient payment owed is \$520.00.

## II. PAYMENT OF THE TOTAL DEFICIENCY PAYMENT OWED

Enclosed herewith is a payment in the amount of \$520.00 for the total deficiency payment owed. The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2555. **A duplicate copy of this authorization is enclosed.**

## III. CONCLUSION


As stated above, the Office was not notified of a loss of entitlement to small entity status at the time of paying the maintenance fee, as required by 37 CFR § 1.27(g)(2). By filing this statement, Applicants have complied with the requirements for having this error excused pursuant to 37 CFR § 1.28(c).

**PATENT PETITION**

Pursuant to 37 CFR § 1.28(d), the present deficiency payment submitted under 37 CFR 1.28(c) is treated as a notification of a loss of entitlement to a small entity status. Specifically, the entitlement to small entity status was lost on June 30, 2000. Accordingly, Applicants respectfully urge the Office to accept the present notification of change in entity status.

Respectfully submitted,  
GERARD MCGOOGAN

Dated: 4/27/05

By:   
Greg T. Sueoka, Reg. No.: 33,800  
Fenwick & West LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94041  
Tel.: (650) 335-7194  
Fax.: (650) 938-5200